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Chief Justice Caton's Seymour Letter.

REMARKS BY

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The position of Chief Justice of the State of Illinois, is enviable and of commanding influence when filled by an able jurist like Justice Caton. And when an opinion emanates from him in his official capacity, its legal efficacy is unquestioned. But when the Chief Justice in an unofficial capacity spreads upon record an opinion upon any secular subject of general interest, it is the right and inestimable privilege, of the most humble American citizen to criticise the same, and controvert, if he can, the alleged facts therein stated, and the deductions therefrom.

As an humble and obscure citizen I desire, in a spirit of becoming modesty, to attempt a controversion of some of the positions taken by Chief Justice Caton in his letter to Gov. Seymour, December 18. 1862.

First we quote so much of said letter as relates to the cause of the present rebellion:

"Before the smoke of the political battle of 1860 by which Mr. Lincoln was placed in power, had cleared away, a civil war was inaugurated, which had been provoked and induced, though certainly not justified by the wild fanaticism of the leaders of the party which had placed Mr. Lincoln in power, and Democrats were called upon to go and shed their blood and expend their subsistence in a war which they believed might have been avoided by a proper conciliatory course, which they recommended, but had been treated with contumely by those in power."

A proper analysis of the language quoted, leads to several conclusions: First that the supporters of Mr. Lincoln caused the war, and are consequently responsible for it. The Chief Justice says that "they," the leaders of the party that placed Mr. Lincoln in power, "provoked" [made angry] and "induced" [persuaded by motives and caused] this war. Then it necessarily follows that if the supporters of Mr. Lincoln, "provoked and induced," the Breckenridge wing of

the democratic party to rebel against the Government, they are aiders and abettors of treason, and equally guilty with those who are now in arms against the Government. Did the Chief Justice intend to make such a charge? To say the least, the Chief Justice does make the charge that the supporters of Mr. Lincoln were guilty of a great wrong, for the reason that they "provoked and induced" civil war. How did they provoke and induce civil war? The Chief Justice says, "by their wild fanaticism." In what did their "wild fanaticism" consist? The Chief Justice does not particularize; but every intelligent citizen knows that the supporters of Mr. Lincoln were not in power during the political battle of 1860, and that the main issue of that battle grew out of the slavery question. Upon that issue the position of his supporters was clearly and truthfully enunciated in the Chicago platform, and reads as follows: "That the normal condition of all the territories of the United States is that of freedom * * and we deny the authority of congress, of a territorial Legislature or any individuals to give legal existence to slavery in any of the territories of the United States."

The supporters of Mr. Douglas and Mr. Breckinridge traversed the issue thus presented, and put themselves upon the country. The contest was a warm and bitter one, and the supporters of Mr. Lincoln by the aid of their "wild fanaticism," as we suppose, won the political battle of 1860. That Mr. Lincoln was constitutionally elected is conceded. Now, we ask the Chief Justice if there is anything in the constitution of the United States or in the laws made in pursuance thereof that prohibited the supporters of Mr. Lincoln from tendering that

issue? Is the advocacy of the time-honored principle that "there shall be neither slavery nor involuntary servitude in the Territories, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted," [Ordinance of 1776.] a violation of any moral or divine law? The Chief Justice will hardly join issue with the immortal Jefferson upon that question. Yet we defy any one to prove that there was any other issue that gave offence. Did the supporters of Mr. Lincoln do more than to exercise their lawful rights and privileges as American citizens in a lawful manner? Yet the exercise of such rights gave offence, and "provoked and induced" civil war. The conclusion then is that whenever the adoption of certain political principles by a constitutional majority in a constitutional manner would give offence to the minority, then such constitutional majority should yield their right to adopt such principles for fear that their adoption might provoke and induce a civil war.

O, progressive democracy thou art a jewel.

We ask the Chief Justice if the supporters of Mr. Douglas are not equally chargeable with having "provoked and induced" civil war by their "wild fanaticism" in refusing to yield their political opinions and preferences to the Breckenridge wing of their party? The fanaticism of the supporters of Mr. Douglas in the political battle of 1860, was so wild and bitter that it resulted in a disintegration of the democratic party, thereby securing the election of Mr. Lincoln. Who introduced discord into the happy family of Democracy when they assembled at Charleston in 1860 to make their nominations? Was it the supporters of Mr. Lincoln? Verily not. What was it that caused the irreconcilable separation between the friends of Mr. Douglas and those of Mr. Breckenridge? Ah, it was the same everlasting nigger. The Douglas portion of the family insisted upon incorporating into their platform the proposition that the people of the territories had the right to determine for themselves whether slavery should exist therein or not, while the Breckenridge portion of the same family, insisted upon inserting in the platform the proposition that slavery existed in the territories by virtue of the constitution of the United States, and the people of the territories had no power to prohibit its existence therein.

Neither of the adherents to these re-

spective propositions would yield to the other, the child "non-intervention" was the legitimate offspring of the democratic party, its birth had occasioned the party severe travail, it was then barely convalescent and the Douglas portion of the party were apprehensive that if they forsook the child it would cause a fatal relapse, therefore they refused to forsake their first born. Thereupon the Breckenridge portion of the party arose took up their black child of discord, which they had sought to substitute as an improvement for non-intervention and departed never more to return. Why did not the Chief Justice then send the lightning coursing along the wires, conveying to Douglas and his friends the intelligence that they must yield to the demand of Breckenridge and his friends, or they might give offence and thereby "provoke and induce" civil war by their "wild fanaticism," upon the slavery question? No such message was sent. — They yield their political principles and preferences? No! never! They adjourned to meet subsequently at Baltimore. There they met. A reconciliation was attempted. Douglas and his friends refused to yield. Consequently, Breckenridge and Douglas were both Democratic nominees and both defeated. Why did not the friends of Mr. Douglas support Mr. Breckenridge and elect him? Then there would have been no war. It would be begging the question to say that the result showed that Breckenridge could not have been elected, for that fact was not known to the supporters of Douglas, when they were "provoking and inducing" civil war by their "wild fanaticism" in the Charleston and Baltimore conventions. One faction of the Democratic party by yielding to another faction of the Democratic party, would have made a much less sacrifice of principle than the supporters of Mr. Lincoln would have made by yielding to either faction of the democratic party. But suppose the supporters of Mr. Lincoln had supported Mr. Douglas and secured his election, would that have avoided the war? Would the rebellious portion of the Government have been reconciled to his election? If they would have been so reconciled, why did they cast him out with such malignity at the Charleston convention and thereby destroy the power of the democratic party? Why did they not elect him when they had the power to do so, or supposed they had? No, they would not have been reconciled. The experience of political parties, shows that

when some discordant element is thrown into a party, which produces an alienation, the contest between the factions becomes more sanguinary and bitter than it is between parties that have always been at variance.

There is only one argument in favor of the proposition that the election of Douglas, of itself, would have avoided the war, and that is, that the democratic party would have been firmly united, and consequently the rebels could have anticipated no sympathy, or aid and comfort from the north, except from now and then an abolitionist of the old school like the Rev. George W. Bassett, who is now quasi allied with the democratic party.

It will be remembered that Mr. Douglas received but twelve electoral votes. Nine from Missouri, and three out of seven of the electoral votes of New Jersey, one State only casting its entire vote for Mr. Douglas, and that State only semi-loyal.

Secondly, the war might have been avoided by a proper conciliatory course. The Chief Justice does not give his opinion as to what would have been a proper conciliatory course, but asserts, in substance, that they, the democratic party, commenced anew such a conciliatory course, but were treated with contumely by those in power. We are in the dark as to the time when they first commenced a proper conciliatory course; possibly it was at the Charleston convention. But we are informed that they recommenced, or commenced anew a proper conciliatory course before the smoke of the political battle of 1860 had cleared away, which must have been prior to the 12th of April, 1861, for upon that day commenced the bombardment of Fort Sumpter, which inaugurated this civil war for which the Breckenridge members of the democratic party had been preparing for at least five months, under the auspices of a democratic administration, which was placed in power by the united action of the Douglas and Breckenridge members of the democratic family.

But the democratic party failed in its attempt to avoid the war by the proper conciliatory course which they had recommenced. Why did they fail? because they had been treated with contumely by those in power: "by those in power," we suppose the Chief Justice must mean the Lincoln administration, for he would hardly charge upon a democratic administration the "unpardonable sin" of treating the democratic

party with contumely for pursuing a "proper conciliatory" course towards a disaffected portion of the party, for the purpose of avoiding a civil war with such disaffected portion.

But first let us inquire what facilities Mr. Lincoln or his supporters had for pursuing a "proper conciliatory course."

The Buchanan democratic administration did not expire until the 4th of March, 1861, at which time the Lincoln administration commenced; then prior to the 4th of March, 1861, the supporters of Mr. Douglas and Breckenridge had the supreme power in the Legislative, Executive and Judicial departments of the Government, consequently all the facilities of conciliation were in their possession. A high order of democratic talent reigned in all the departments of Government.

General Breckenridge, of the rebel army, was Vice-President of the United States, the Confederate President, Davis, was a Senator from Mississippi.—Brigadier-General Floyd was Secretary of War, Howell Cobb, Secretary of the Treasury, Jacob Thompson, Secretary of the Interior, and a host of other distinguished democrats, renowned for their party fealty and infinite resources, all of whom have since distinguished themselves in the Confederate Government. They ought to have devised some proper conciliatory course to have avoided the war if they so desired. The Lincoln administration was not in a position to treat them with contumely if it would.

During the month of November, 1860, South Carolina and Georgia voted money to arm the States for resistance, and secession conventions were held at Charleston, Mobile and Milledgeville.

On the third day of December, 1860, Congress assembled, both branches having a democratic majority, and disunion speeches were made in both branches by democratic members. During the month of December, South Carolina renounced her allegiance, and her members withdrew from Congress. The States of Mississippi, Georgia, Alabama, and Florida did likewise in the month of January, 1861, and in the month of February, Louisiana did the same. Texas did the same March 4th, 1861. In December, 1860, Mr. Buchanan being desirous of pursuing a proper conciliatory course, refused to reinforce Fort Moultrie. Mr. Cass, Secretary of State, being opposed to Mr. Buchanan's conciliatory course, resigned. Prior to the 4th of March, 1861, nearly all the gov-

ernment property in the seceded States had been seized by the rebels,—and so on to the end of the national catalogue of crimes. Thus we see seven States renouncing their allegiance to the government under a democratic administration, and the members of Congress from those States politely confessing their crime in the National Capitol with impunity. It was thought best by those then in power to adopt a proper conciliatory course, without any contumacious treatment, and they were permitted to depart to their respective States, there to light up the flame of civil war.

Now it is self evident that when the above named acts of secession were in progress, the Lincoln administration possessed no power to act in the matter. Mr. Lincoln could not have treated with contumely those who had re-commenced a proper conciliatory course.

Jefferson Davis was inaugurated President of the Confederate Government on the eighteenth day of February, 1861, and organised his Cabinet on the twenty-first of the same month. Thus was the Buchanan democratic administration delivered of the bastard Confederate Government, which was begotten by the oscillations of the Breckenridge and Douglas democrats, and is to-day the only surviving offspring of the bachelor President. On the second of March, 1861, the democratic Congress adjourned, after repeated unsuccessful attempts to amend the Constitution so as to legalize their action, and recognize their unnatural offspring as legitimate; and the grand culmination of that democratic administration still lives to torment its progenitors.

On the fourth of March, 1861, Mr. Lincoln was inaugurated President of these United States. His inaugural was mild and conciliatory towards the disaffected States. Mr. Douglas announced publicly that he was satisfied with the sentiments therein expressed.

The thirty-sixth Congress expired on the fourth of March, and had adjourned on the second. The thirty-seventh Congress could not legally assemble until December, 1861, unless a special session was ordered by the President, and the President, by law, could only convene Congress by issuing his proclamation therefor. It was impossible to convene Congress before the twelfth of April, 1861, when the bombardment of Fort Sumpter commenced; and without congressional action, it is self-evident to every reasonable man that Mr. Lincoln

could not have adopted any proper conciliatory course that would have been at all efficacious under the madness that then ruled the hour.

But, notwithstanding all this, the Chief Justice, with exalted patriotism, would advise his democratic friends to shut their eyes to all that has gone before, and hush the involuntary murmurings that the war was "needlessly provoked" by that "wild fanaticism" which defeated them at the polls, and rush to the ranks under Mr. Lincoln, only remembering that their country and its constitution are in danger. Was ever such unalloyed patriotism and christian charity witnessed before. Yes, the Constitution is in danger. It was ignored under the Buchanan democratic administration; it is recognised by the Lincoln administration.

The Lincoln administration had been in power forty days when this civil war was inaugurated at Fort Sumpter; yet it is proclaimed, with apparent candor, that the Lincoln administration in that forty days could have adopted a proper conciliatory course, that would have avoided the war, effectually re-arranged the machinery of the government, caused the rebellious States to have resumed their allegiance, restored unto the government its stolen property, dissipated the rebellious spirit engendered under the Buchanan democratic administration, and caused gentle peace to have resumed her wonted sway over the hearts and consciences of perjured men. How absurd and ridiculous the conclusion.

But, notwithstanding the democratic party was defeated at the polls, in the political battle of 1860, by the "wild fanaticism" of the supporters of Mr. Lincoln, thereby "provoking and inducing civil war on the part of the Breckenridge wing of the democratic party, the Chief Justice is in favor of a vigorous prosecution of the war. He says—

"The war must be prosecuted earnestly, and to the last; not to crush and conquer the South, but to crush and conquer the rebellion. If a ten years' war is necessary, rather than give up the Union, they accept it,—sorrowfully, it is true, but earnestly."

"We must show no lukewarmness, or hesitancy in sustaining or prosecuting a war which, if abandoned by the people, must result in a dismemberment of the Union, the destruction of the Constitution, and a disgrace to this people, which must attach to them and their posterity through all time."

The Chief Justice seems to speak authoritatively when he says—

"That a vast majority of the old democratic party,—that is to say, the Douglas portion of it, * * * at least in the west, * * * are fixed in their determination that the war must

be prosecuted till the rebellion is put down, or till those in revolt will submit to the Government of the Constitution. Indeed, this follows as a necessary consequence upon the determination not to submit to a dismemberment of the Union, which, as before stated, must be looked upon as a settled question, at least in the west.

* * * The northern democracy stands now where it has ever stood. It will support, at all hazards, the integrity of the Union, while it will guarantee to every portion of it all the rights and all the privilege stipulated in the Constitution, to this extent, and for these purposes, the democratic party must be considered a war party, and in its support and prosecution, it will vindicate its ancient renown for steadiness of purpose,—for pursuing its object with a calm and determined energy, which evinces its faith in its principles, and which ever has and ever will, in the end, secure its triumph."

Cheering, indeed, is the assurance that, come what may, weal or woe, the North is to be united, and "fixed in the determination that the war must be prosecuted till the rebellion be put down." Since the death of the heroic Douglas, we have rarely received such assurances from the leaders of his party, outside of the army lines. Patriots will everywhere lift up their heads and rejoice, if the predictions of the Chief Justice shall be fulfilled, as we now hope and believe they will.

But it seems to us that unselfish patriots would rejoice with exceeding greater joy if the main incentive to the patriotism of the Chief Justice was based upon purer and nobler sentiments of philanthropy.

The Chief Justice says, in substance, that the west has fought, and will continue to fight, for the restoration of the Union; that Illinois has furnished more than ten thousand troops above her quota,—and why? we quote the Chief Justice's own language for the reason:

"You are undoubtedly correct that the North-west will never consent to a separation of the Union, leaving the lower Mississippi in a foreign jurisdiction. Our interests are agricultural, and upon a market for our products depends our well-being—I might almost say our existence. Before the war we supplied the plantations of the South with their horses and mules, their corn and their bacon. This plantation market consumed most of the products of the counties bordering upon the Mississippi and its tributaries, and any surplus found its way to the Atlantic cities and foreign countries through that great river. By the war we have lost this market and this outlet, and our products, which formerly went South, have been thrown upon the northern transports and northern markets, overloading the former and glutting the latter. As an inevitable consequence, while money has depreciated nearly one-third, the prices of our great staples in the hands of our farmers have remained stationary, or have receded in some instances more than half. At the last Presidential election, on the Ohio River mules were worth from one hundred and twenty-five to two hundred and twenty-five dollars per head. Now our graziers cannot realize more than from sixty-five to eighty dollars per head, notwithstanding the great consumption by the army; and horses have depreciated in nearly the same ratio. If other portions of the country have found means to make money by the war, to the western agriculturist it

has proved an unmitigated burden, which can only be relieved by a restoration of peace and of the Union. The former without the latter would render permanent that which we now look upon as but temporary. Hence has the West fought, and so will she fight, not for the desolation of the South, and the final destruction of her plantations, but for the restoration of the Union. Hence has Illinois furnished more than ten thousand troops above her quota. If a draft has been necessary in any portion of the West, it has not been where the influence of this plantation market has been directly felt. I repeat, we can never consent that the lower Mississippi shall pass into a foreign jurisdiction."

Aside from partisan ones, no reason is assigned in the entire letter for a vigorous prosecution of the war, and a restoration of the Union, except that assigned in the language last above quoted. And what is that? it may be expressed in two words,—“plantation market.” We are told that “before the war we found a market for our horses, mules, corn and bacon on southern plantations; that mules were then worth from one hundred and twenty-five to two hundred and twenty-five dollars per head. By the war we have lost that market.” “Consequently the price of our great staples in the hands of our farmers have remained stationary.” “Mules are worth only from sixty-five to eighty dollars per head.” (The culture of mules being a branch of the Chief Justice's business, we are not disposed to question the correctness of his figures.)

Without a restoration of the Union, this plantation market is permanently lost; hence has the west fought, (to restore ultimately the “plantation market.”) Hence has Illinois furnished more than ten thousand men above her quota, (for the ultimate purpose of restoring the “plantation market.”)

This argument is fair and legitimate, for the Chief Justice says, in the same connection, “If a draft has been necessary in any portion of the west, it has not been where the influence of this plantation market has been directly felt.” What! is it possible that the patriotism of Illinois, or any portion of her people, derive their inspiration from the laws of trade and commerce as they existed in time of peace with southern plantations?

If so, have we not a clue to the bitter opposition made by Copperheads against the prosecution of the war in such a manner as to endanger the future existence of Slavery? does not the value of southern “plantation markets,”—in the judgment of the Copperhead race,—depend upon the existence of said institutions?

Was it necessary that the Chief Jus-

ties of the State of Illinois, should address such arguments to the Governor of New York, to convince the Governor that the "war must be prosecuted earnestly and to the last?" Was the *Richmond Examiner* correct when it predicted thus:

"We are prepared to see New York make another gigantic struggle for the preservation of the commercial supremacy. Perhaps she is beginning to see that if the rebellion, as her few born reprobates term it, is successful, the west will secede, and then what will become of the Babylon of America? Heaven grant that her worst apprehensions may be realized."

The Chief Justice has assured the Governor in his letter, "that the North-west will never consent to the separation of the Union, leaving the lower Mississippi in a foreign jurisdiction." "The *Richmond Examiner* intimates to New York that if the rebellion is successful, the west will secede." Then the "Babylon of America," with her "low born reprobates" must become an ornamental appendage to the New England Empire, where the dappled rays of light reflected from the highest type of American civilization—found only in Southern markets for mules, horses, corn and bacon, will never penetrate her borders.

Is it true that the glittering prize of a southern plantation market has influenced Illinois to furnish ten thousand men above her quota without drafting? If so, poor, despised, puritanical New England ought to have the mantle of Christian charity thrown over her for any supposed dereliction of duty in furnishing her quota, for she is not a producer of mules, and has never been subjected to the potent, monied influences of those "plantation markets."

"Where is that soul of freedom fled?
Jimmied with the mighty dead!
Beneath that hallowed turf where Wallace lies,
Hear it not, Wallace, in thy bed of death!
Ye babbling winds in silence sweep;
Disturb not ye the hero's sleep,—
Nor give the coward secret breath.—
Is this the power in Freedom's war
That wont to bid the battle rage?"

The Patriotism of the North-west, especially of that portion which is unconditionally for the Union, derives not its inspiration from the laws of trade and commerce, its quantum cannot be estimated by a mathematical calculation of the advantages of markets, but it derives its inspiration from the high and holy associations that cluster around the memories of the past.

Go stand by the graves of our honored dead slain in battle, and ask the silent sleepers why they exchanged the peaceful, parental mansion, the society of their wives and little ones, the endear-

ments and comforts of home and social life for that lonely grave. Go ask that great army of patriots who are to-day enduring long and wearisome marches, subjecting themselves to cold, hunger and disease, and all the trials and hardships incident to a camp life, imperiling their lives upon the field of battle, for what end is all this? Will the answer come up from those lonely graves, and from the living patriots, that the stars and stripes may float over plantation markets? Methinks I see the fires of patriotism glow upon the cheek of the living soldier, as with scornful look and fixed bayonet he repels the unjust insinuation and proclaims that these great sacrifices are made and endured for the perpetuation of the fundamental idea of the American Government, namely: "That all men are created equal, and endowed by their Creator with certain inalienable rights; among which are life, liberty and the pursuit of happiness," and that that flag which is emblematical of human freedom and civil liberty all round the world where civilization has penetrated the abodes of humanity, may continue to wave over the consecrated graves of our Revolutionary ancestors and,

O'er the land of the free,
And the home of the brave."

in all coming time.

While loyal people everywhere, will stand shoulder to shoulder with the Chief Justice in his determination to prosecute the war to the last for the restoration of the Union, they will mourn with exceeding great sorrow that the Chief Justice, whose eminent abilities as a jurist are recognized by an appreciating people, could not have taken a higher and more God-like view of the awful struggles of the American Republic, which are shaking her foundations from centre to circumference.

Does the Chief Justice see nothing in this grand struggle but a war that was needlessly "provoked and induced" by the supporters of Mr. Lincoln on account of the "imaginary wrongs" of the negro, waged for the ultimate restoration of the democratic party and southern plantation markets?

The supporters of Mr. Lincoln in the battle of 1860, and those democrats who are doing valiant service in the great army of the Union, see in this grand struggle a terrible effort being made by the rebellious people to pull down and obliterate the American temple of Liberty erected by our Revolutionary fathers, and dedicated to the

“Goddess of Liberty, who has been wont to proclaim from the dome thereof, that the great end and object of the American Government was to establish human freedom, and the equality of man, and establish upon the ruins thereof an aristocratic form of government, the chief corner stone of which shall be African slavery; consequently their ultimate object in waging this war is to preserve that temple of Liberty, that it may continue to expand and rise higher and higher, until its very dome shall pierce the clouds, and the great end and object of the American Government, as proclaimed by the Goddess of Liberty, is literally fulfilled.

As before intimated, the Chief Justice urges some partisan reasons for a vigorous prosecution of the war; first, the ascendancy of the democratic party depends upon it. If this argument is necessary to accomplish the object intended, we have not ought to say, except to deplore the condition of that man to whom such arguments must be addressed to light up the fires of patriotism in his heart.

Again, the Chief Justice argues that the ascendancy of the democratic party is a necessary condition precedent to a restoration of the Union; that the rebels will not conclude a peace, or accept of terms of reconciliation, except proffered by their old allies, the northern democratic party. This, we suppose, is upon the principle—to use a vulgar adage—“that the hair of the dog is good for the bite.” We have already shown that prior to the inauguration of President Lincoln, seven democratic States had declared themselves out of the Union, called home their members of Congress and commenced preparations for war; that Fort Sumpter was besieged, and not allowed provisions; that members of the Cabinet had gone to their homes to sound the tocsin of civil war; that government property was seized and appropriated upon our southern seaboard, and the confederate government fully organized. All this was done, and much more, under “democratic influences;” and now, forsooth, they vehemently demand that the sceptre of power be restored unto them, that they may subject Mr. Lincoln to those democratic influences, thereby to restore the “Union as it was, and the Constitution as it is.”

What does the Chief Justice propose to have the democratic party do when the sceptre is once more wielded by them? Do they propose to attempt a

reconciliation in the same manner that the Buchanan democratic administration did? Those were peaceful, and very conciliatory, and proved ineffectual, because, as the Chief Justice says,—

When the rebellion was inaugurated, its promoters professed to believe, and no doubt most of them did believe, that they would not only meet with sympathy, but with material support, from the democratic party of the North; and but for this belief it is doubtful if they could have deluded their people to such an extent as to have secured their acquiescence in the revolt.

Then what measures will they adopt to save the country that was not adopted by the Buchanan democratic administration? Will they propose terms of peace upon a basis of a separation? Let the Chief Justice answer for himself.—

“To excite a reasonable hope that the South will retrace the Union on the old basis, it is indispensable that they should be disabused of the opinion that the democratic party is a peace party on the basis of separation. * * * * * Victories must be won before they will listen to reason from any party, and accept re-union on any terms. Were the democrats in power to-day, they must win victories before they could save the Union.”

Thus we have the concession that the Lincoln administration can do nothing (except on the basis of separation,) to save the Union until victories are won, and the army of the rebellion defeated. Then, after victories are won, and their armies defeated, why will they not accept terms of peace as readily from the Lincoln administration as from a democratic one? If the Douglas portion of the democratic party support Mr. Lincoln in a vigorous prosecution of the war, as the Chief Justice advises them to do, then the rebellion army is defeated by the joint action of the supporters of Mr. Lincoln in the political battle of 1860, and the Douglas democrats, acting in obedience to the orders of their commander-in-chief, Mr. Lincoln, will the rebels then know any difference between the political parties composing the Union army? Will it then avail any party to say to the rebellious people, in the language of the Chief Justice,—

“We prosecuted the war without malice and vindictiveness, and upon those humane and christian principles which illustrate the civilization of this great Republic. We made war with you, our brethren, for the sole purpose that we might live with you in peace and unity.”

One would naturally suppose that if the leaders of this dire rebellion could be influenced by humane and christian treatment to accept terms of peace on the basis of union, the same appreciation of humane and christian principles would have deterred them from the commission of perjury, and the inauguration of civil war, with all its terrible

consequences. But no one opposes humane and christian treatment, and the want of it cannot be charged upon the present administration.

But the democratic party demands the investment of power, because some of the war measures of the administration are unconstitutional; namely, the Emancipation Proclamation, Arbitrary Arrests, and the suspension, or rather *suppression* of the writ of habeas corpus. Our inability and modesty forbids our entering into a constitutional argument with the learned Chief Justice upon the constitutionality of these measures. Suffice it for us to say that the Supreme Court has not decided them unconstitutional; that the ablest jurists in America disagree upon the question; *and while there is a doubt upon that question, we will give our country, and not its enemies, the benefit of that doubt.* We know this, that there is nothing in the nature of things which need tend to weaken the arm of the Government by emancipating the slaves of the rebels as a war measure. And we do know that there is much every way which tends to weaken the arm of a rebel when you move from under it the slave that supports it. And we know still further, that a loyal man stands in no fear of injury by a temporary suspension of the writ of habeas corpus.

The Chief Justice charges Mr. Lincoln with imbecility, obstinacy, usurpation, and fraud in the matter of the Emancipation proclamation, in that he had refused to issue it, and then permitted the governors of the loyal States, by the aid of the military power he had invested them with, to form a combination against the government and the constitution, which assumed such vast proportions that they contemplated hurling Mr. Lincoln from the presidential chair unless he issued said proclamation. This is a terrible charge, unsupported and unsupportable by proof, and we trust these loyal governors will respond to it ere long in the manner it deserves.

There was nothing in the Greeley letter, or in the revocation of the Fremont and Hunter orders, or in the interview with the Chicago Clerical Committee, that was inconsistent in a military point of view with Mr. Lincoln's action upon the Emancipation proclamation. If a general, at night, refuses to issue a certain order upon suggestion by his subordinates, is he to be charged with fraud and corruption because he issues the

same order in the morning? In his Greeley letter, which the Chief Justice endorses, and in his interview with the "Chicago Clerical Committee," Mr. Lincoln expressly stated that he had had the matter under consideration, and was ready to issue such a proclamation when, in his judgment, it would tend to save the Union.

The Chief Justice mourns over the fact that there was "not one democratic governor," "not one democratic Legislature to whom Mr. Lincoln could look for support and relief," at the time these Republican Governors were clamorous for radical measures. Oh, how Mr. Lincoln must have prayed for a democratic governor or legislature to have held up his hands in this trying hour. Were there none? On the fifteenth of April, 1861, when Mr. Lincoln called for seventy-five thousand volunteers, if we mistake not there were sixteen Democratic State Administrations, and eighteen Republican. The Republican Governors responded to the call.

The governors of Maryland, Delaware and New Jersey, who, we believe, were democratic, responded. The remaining thirteen States peremptorily refused to furnish a man. A portion of them were in actual rebellion, and those who claimed to be loyal refused to aid the government in maintaining its laws. But the answer to all this will be, that if Mr. Lincoln had had a Douglas democratic governor or legislature to apply to, all would have been well.

We are not prompted by a partisan spirit in what we have said. We regard a democrat the same as a Republican, so he stands firmly by our country in this her hour of trial.

We care nought for Mr. Lincoln more than for Generals Halleck, Curtis, Grant, Pope, Butler, Burnside, Rosecrans, Hooker, Dix, McClelland Logan, and many other of his generals, who are democrats as civilians. No supporter of Mr. Lincoln will ever pluck one laurel from the wreath of fame that encircles their brows. They will ever live in the hearts of their countrymen, as pure and noble patriots, who, in the hour of their country's danger, thought not of party or self.

"And never may they rest unsung,
While Liberty can find a tongue;
Time, Gratitude, a wreath for them
More deathless than the diadem,
Who, to life's noblest end,
Gave up life's noblest powers,
And bade the legacy descend,
Down, down to us and ours."

We desire to have Mr. Lincoln vindicated. We believe he can be, and will be by the impartial historian, when his administration exists only in history. The impartial historian, as he takes a panoramic view of the administration of James Buchanan, and Abraham Lincoln, will behold during the administration of James Buchanan, the foundation of the government being gradually undermined, the process of disintegration silently and surely progressing, the entire machinery of the government disarranged, and the operators therein being democrats, occupying high positions in a democratic administration. As the administration draws near its close, he will behold the democratic party divided into factions, and, in their madness, rending asunder the government. The process of disintegration culminates.

He beholds Abraham Lincoln as he ascends the chair of state, on the fourth of March, 1861, amid the falling timbers of the temple; he beholds treason in the Senate, treason in the House of Representatives, treason in the Judiciary Department, treason in the Army, treason in high places and low, treason on every hand,—a fearful tide to stem and save the government from its impending ruin. But with a firm reliance upon Him who rules in the armies of Heaven and among the nations of the earth, Abraham Lincoln assumes the reins of government with a determined purpose to rescue her from this boiling and foaming sea of treason. He beholds him slowly but surely gathering up the disintegrated parts of the government, and cementing them together in indissoluble bonds with the blood of patriots, voluntarily contributed. He beholds the government ultimately saved by the administration of Abraham Lincoln. Will it mar the beauty of the scene if the historian shall see in the dim distance a son of Africa, holding aloft a scroll, with the Proclamation of Emancipation inscribed thereon?

Does the Chief Justice suppose that when this civil war shall cease, and we shall be a happy and united people as we were wont to be in times past, that the historian is going to criticise and condemn this or that measure of the administration, adopted in times of great peril and public danger, because it was of doubtful constitutionality?

No, the wonder to the historian will be, not that Abraham Lincoln made mistakes, but rather that he succeeded

in controlling the machinery of the government with so little friction.

The Proclamation of Emancipation which now meets with so much opposition from genuine and pretended loyalty, will be regarded by our posterity in the future as the test of genuine loyalty during the American civil war. They will read it in their churches, school houses and families upon each anniversary; and it will become an ornamental appendage to the family mansion, institutions of learning, State and National Capitols, and other public places. In the future history of this government, it will be regarded as a document second only to the Declaration of Independence, and, like that, will render its author immortal. The Proclamation of Emancipation of January first, 1863, is destined to become and remain one of the great landmarks in the progress of civilization long years after the cold and calculating pencilings of the Chief Justice are consigned to eternal oblivion.

Since the publication of the foregoing, our curiosity has been greatly excited by the perusal of a letter, written Feb. 21, 1863, by the Chief Justice to John T. Stewart, member of Congress elect from Illinois, for we are now unable to divine the motive that prompted the Seymour letter. We had supposed that the Seymour letter was intended for publication for the purpose of warning the democracy against wandering after strange gods; but, from the Stewart letter, we learn that the Seymour letter was a private one, not written for publication. For in that letter the Chief Justice says—

“On the day I left Springfield, you were pleased to express your approval of my paper to Governor Seymour. I last night received a letter from a mutual friend of Governor Seymour and myself, in New York, stating that the Governor had sent him the paper with the request to see it put in print, and desiring my permission to do so. Before deciding, I wish to take your opinion on the subject.”

We say again, after reading the Stewart letter, we can arrive at no satisfactory conclusion as to the motive that prompted the Seymour letter.

Was the Chief Justice apprehensive that Governor Seymour would place the State government and democracy in a position of antagonism to the Federal Government, and wrote the letter with an honest desire to dissuade the Governor therefrom? if so, the motive was a most estimable one.

But the Chief Justice had no such

apprehensions, for, in speaking of Seymour, to Mr. Stewart he says,—

"He is an able and sagacious statesman who desires the welfare of his country, and the restoration of the Union above all things."

Was the chief Justice apprehensive that the democracy would not support the war?

His laborious argument in the Seymour letter to demonstrate the necessity of an unwavering support of the war by the democracy, would seem to be conclusive evidence that he did indulge in such apprehensions, else wherein consists the necessity of the argument.

Then if the Chief Justice did indulge in such apprehensions, and believed, as he says, that opposition to the war on the part of the democracy would result in disaster and ruin to the Government, what was his duty in the premises as a wise and sagacious statesman and patriot? was it not his duty "to cry aloud, and spare not?" Should he not have disregarded self, party, friend and foe, 'and counted all things lost,' if thereby he could have accomplished aught for the salvation of his country?

The people of the State of Illinois have clothed him with her judicial ermine, for the express purpose of enabling him to exercise the high prerogative of a guardian of her laws; and as such guardian they have a right to expect that he will diffuse his light and knowledge through the body politic, and not hide it under a bushel. But the Chief Justice seems to have thought otherwise for a time.

On the 18th of December, 1862, we learn that the Chief Justice was possessed of a great light, of which he says:

"There never was a clearer light shining before public men than that which illuminates the way in which we should walk."

On said day he delivers said light to Governor Seymour, who secreted it in his executive mansion until about the first of February, when he delivered it to a mutual friend of the Governor and Chief Justice, with a request that it might be set upon a hill. The friend asked permission of the Chief Justice; the Chief Justice, fearful perhaps that if his light was set upon a hill, the brilliancy of its rays might blind the eyes of the democratic masses, so that they could not see to follow in his pathway, on the fourth of February, 1863, sought the advice of Mr. Stewart in the premises.

Mr. Stewart, in the following language, advised the chief Justice to place his light upon a hill:—"I believe that

such views promulgated by a man of your standing in the democratic party, and in the State, would exert a wholesome influence upon public opinion, and tend to check it from running to extremes, as it is very liable to do in times of high party excitement like the present. In my opinion, that is the exact danger to which the democratic party [not the country] is exposed." The letter was first published in the New York Argus, about the eleventh of March, 1863, and in the Ottawa Free Trader on the twenty-first of the same month.

If the Chief Justice's heart and conscience were convinced that his light must be followed by the democratic party if they would save the country, why should he hesitate or delay placing his light upon one of the ancient landmarks of democracy, where its rays might permeate her waste places, set on fire and consume her jungles, with its hissing copperheads.

Why should the Chief Justice of the State of Illinois ask the advice of Mr. Stewart, upon the propriety of publishing his views as to "the position and policy of the democratic party." It was not to convince his judgment that such position and policy were correct, for he affirmed that his judgment was already convinced upon that point.

He was also convinced that the salvation of the democratic party depended upon a support of the war: was the Chief Justice apprehensive that the publicity of his views would leave him in the rear, exposed to the malignant hissings of the copperhead portion of the family? Let an intelligent people judge.

We should be slow to attribute such motives to the Chief Justice at this time, if it was not for the monstrous proposition contained in the Seymour and Stewart letters, that the administration and its supporters should be permitted to win the necessary victories, and they, the democrats, would then arrange terms of peace: we quote his language:

"But peace will be easier accomplished by us if the necessary victories are won by them, than if we are the instruments of the necessary successes in the field."

The idea is, that the democracy "must support the war," to enable the administration to win victories over the rebels, so that, having won such victories, they cannot easily arrange terms of peace, while, at the same time, the democratic party will condemn the proclamation, thereby increase the ascendancy of the

democratic party, conciliate the rebels, elect a democratic administration, when they can make peace with the rebels "on the old basis, with further guarantees for their legitimate rights, if necessary," (the rebels, we suppose, to be the judges of the necessity.) Yes, after the administration has conquered the rebels, then the democracy will bear to them the olive branch of peace.

Oh! Southern chivalry! wilt thou not, in that dread hour, appreciate the magnanimity of thy former allies, when they say to you—we raised not the hand that struck the fatal blow; we only told the radicals to punish you, but not to molest your niggers; we opposed the proclamation, and we will return unto you all your niggers, if you will again live with us on terms of peace and amity; we humbly beseech you to grant unto us this great boon, for if you do not, your niggers will certainly "get on an equality with us."

Yes, the nigger is destined to become the olive branch of peace whenever the sceptre of power is restored unto the democratic party.

The Chief Justice reiterates his argument about the saving influences of the democratic party, and "plantation markets." We are sorry to say that these two things seem to be uppermost and foremost in his mind, and their effect upon his mental vision have been most saddening, as witness the statement that the radicals are determined to make peace on a basis of separation, as soon as they can do so with safety. The Chief Justice may believe this statement, but, if he does, his belief is founded upon a faith "which is the substance of things hoped for, and the evidence of things not seen."

Did any republican governor or legislature ever propose terms of peace on a basis of separation? Never. We challenge the proof. What party introduced peace resolutions in the legislatures of nearly all the North-western States during the past winter? what party made midnight hideous with their insane howlings for peace, at our State Capitol the past winter? who proposed to send the Chief Justice on a peace mission to the Southern confederacy?

Was it supporters of Mr. Lincoln? No! God forbid! we introduce Lord Lyons as a witness upon this peace point.

In his letter to Earl Russell, Nov. 17, 1862, when speaking of the fact that several leaders of the democratic party sought interviews with him after the

elections, he said—"At the bottom I thought I perceived a desire to put an end to the war, even at the risk of losing the Southern States altogether; but it was plain it was not thought prudent to avow this desire."

"They maintain that the object of the military operations should be to place the North in a position to demand an armistice with honor, and with effect."

"They are, no doubt, well aware that the more probable consequence of an armistice would be the establishment of Southern independence."

According to the testimony of Lord Lyons, the leaders of the democratic party were in favor of peace, but they had not the power then to make peace; therefore the Chief Justice is opposed to peace, until he has done for the supporters of Mr. Lincoln what David of old—when he had done that thing that displeased the Lord—did for Uriah. To the Chief Justice the spoils of office are very beautiful to look upon, and he says unto the democracy,—Let us set the republicans in the foremost of the hottest battle, and retire from them, that they may be smitten and die. Then I can take to my arms "Bathsheba," (the spoils of office,) and peace will surely follow.

"O wise and upright Judge."

If the leaders of the administration party desired peace on a basis of separation, why did they not permit their "wayward sisters" to depart in peace? Thirteen democratic governors were in favor of letting them so depart, and to go with them; eighteen republican and three democratic governors were opposed to their so departing, and under the direction of Mr. Lincoln, have sent into the field one million of armed men to compel obedience to the laws. The supporters of Mr. Lincoln, and war democrats, have poured out their blood and treasure freely and voluntarily; thousands have fallen by disease and upon the field of conflict; the bones of our countrymen have enriched the soil of southern plantations; and now, forsooth, the Chief Justice makes the inhuman charge—

"That many of these Governors were bold, bad men, who would scruple at nothing to attain their ends, even to overturning of the Government, and a daring usurpation."

This charge, in due time, will recoil upon the head of the Chief Justice with "crushing power." Is Richard Yates, who has been bold in the advocacy of all the war measures of the administration, a "bad man?" Let the care-

worn veterans of many a well fought field, who have been the recipients of his kind and paternal care answer.

The rebellious people are worthy to be the recipients of humane and christian treatment from the Chief Justice, while the leaders of the party that is endeavoring to compel obedience to the laws, is worthy only of his severest animadversions. The Union can only be saved by the democratic party, and they must become all-powerful everywhere. The democratic party possessed not the power to prevent self-disintegration, but it is all powerful to save the country from the dire results of such disintegration. How insulting to common intelligence; and how can a statesman pursue such a line of argument when he appreciates the cause of this rebellion.

Slavery commenced an assault upon Freedom, and the two systems are now in deadly conflict. All history verifies the assertion that when two such antagonistic systems collide with each other, there is no compromise, no peace, until one or the other practically perishes. The Government is on the side of freedom, and the rebellion on the side of slavery; "choose ye this day whom ye will serve." Slavery is a radical, unrelenting power, and to contend with it successfully, you must meet it with radical opposition. Conservative blows may bruise the serpent's head, but only radical blows can inflict the mortal wound. The Chief Justice may labor to prosecute the war upon what he is pleased to term conservative principles, but he will labor ingloriously. He must array himself radically on one side or the other of the issue, or be ground to pieces between the upper and nether millstones of their power.

Shall the Government or Slavery perish, is a question which every man must decide for himself. The people of the State of Illinois have conferred upon the Chief Justice her highest Judicial honors, and they have a right to expect, yea, demand, that when his country's honor and welfare are at stake, he shall rise above the sordid and selfish motives that prompt the mouthing politician to rant about party, and party influences:

the consequences are too vast and momentous to justify the calculation of party success upon the settlement of the issue.

The American Republic cost its founders seven years' expenditure of blood and treasure; what American can contemplate the history of that Revolutionary struggle, with all its grand and glorious results, without feeling the inspirations of its actors descending from above and upon him, inciting him to emulate their brave and heroic deeds in defence of their country. When we turn to the Declaration of Independence and read the immortal sentiment—"that all men are created equal, and endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness," and, in our imaginations, behold its illustrious signers, standing erect before God and solemnly pledging their lives, fortunes, and sacred honor in defence thereof; when we trace them by the blood-stained snow, unconquered and undismayed by disaster and defeat, pressing on and still onward until they have driven the British Lion to his lair, and redeemed their pledge, we do not feel like turning our eyes towards Southern plantations, tilled by slaves, and calculating the price of mules in her markets, but we feel like looking toward God to obtain a glimpse, if possible, of the sainted forms of those departed heroes.

My countrymen! remember that their spirits are looking out from their immortal abodes upon this mortal combat between freedom and slavery; with angelic emotion, they await the final onset of freedom, which shall result in the discomfiture of slavery. Press on and onward to the charge, until you have put all enemies of your country under your feet, ever remembering that whatever unavoidable errors you may commit in your zeal for your country's honor they will not be brought up in judgment against you by a grateful people; and should the Recording Angel fly up to Heaven's chancery with such errors, and blush as he gives them in, the Angel of Mercy will drop a tear upon them, and blot them out forever."







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